CLASSIFICATION OFFICE DECISION

Title of publication: 17390.MOV

Other known title(s): Not stated

OFLC ref: 1600492.001

Medium: Computer Moving Image File

Director: Not applicable

Country of origin: New Zealand

Language: English

Applicant: Commissioner of Police

Classification: Unrestricted.

Excisions: No excisions recommended

Descriptive note: None

Display conditions: None

Date of entry in Register: 18 August 2016

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: 18 August 2016

	Components	Running time
Timed component(s):	17390.MOV	0:17
Total running time:		0:17

Summary of reasons for decision:

The file is a video clip showing a partially nude child performing a humorous dance for the camera. Neither her behaviour nor the way she has been filmed indicate that the file is intended to have a sexual reading. There is also nothing in the behaviour of the person filming the girl that suggests a sexually exploitative situation. The content of the file is typical of home movies many New Zealand parents would take of their children. Although depicting a partially nude child, the content of the file cannot reasonably be said to be capable of being regarded as sexual in nature. Therefore the file does not come within the subject matter gateway of the Films, Videos, and Publications Classification Act 1993, nor does it contain anything that requires consideration under s3A and s3B of that Act. As such

a classification of Unrestricted must be applied. This classification does not place any limitation on the right to freedom of expression contained in the New Zealand Bill of Rights Act 1990.